

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ANTHONY DACRE, )  
Plaintiff, )  
 )  
v. ) Civil Action No. 03-12269-RCL  
 )  
WHITE WATER SEAFOOD CORP., )  
Defendant )

**DEFENDANT'S MOTION FOR THE ISSUANCE OF LETTER ROGATORY  
FOR SUBPOENA DUCES TECUM SEEKING PLAINTIFF'S SOCIAL SECURITY  
ADMINISTRATION RECORDS FROM STATE OF VIRGINIA AND FOR  
COMMISSION**

Now comes the defendant, White Water Seafood Corp. ("White Water") and moves that this Court issue a Letter Rogatory requesting that process be issued requiring the production of the plaintiff's Social Security Administration records from the state of Virginia.

In support of this motion, White Water states that this is an action in which the plaintiff alleges Jones Act Negligence and Unseaworthiness against White Water in connection with his service as a crew member aboard the F/V WHITE WATER. Specifically, the plaintiff alleges that he was injured following a slip and fall accident on the deck of the F/V WHITE WATER on or around July 7, 2001.

The plaintiff was determined to be disabled by the Social Security Administration in Virginia, Massachusetts on or around July 24, 2003. See **Exhibit A**. This decision was made following a hearing which included testimony from the plaintiff.

Since they are kept outside of the Commonwealth of Massachusetts, the production of these records can only be compelled by process issued in response to a Letter Rogatory directed to the appropriate authority in the State of Virginia. The defendant requests that this Court issue

an order directing that a Commission of this Court issue, allowing the defendant to subpoena these records from the Virginia Social Security Administration. The proposed Letter Rogatory and Commission are attached to this motion.

For the defendant,  
WHITE WATER SEAFOOD CORP.,  
By their attorneys,

**REGAN & KIELY LLP**

  
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I hereby certify that a true copy of the  
above document was served upon the  
attorney of record for ~~each~~ party via first  
class mail on 8-31-04

  
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Sean